

**Springerville Town Council  
Minutes  
March 3, 2004**

Present: Mayor Kay Dyson, Vice-Mayor Mary Nedrow, Mark Baca, Scott Cray

Absent: Ramon Castillo

Staff: Kurt Hassler Town Manager, Val Cordova Town Clerk, Max Sadler Fire Chief, Rye Sluiter, Scott Burrell volunteer firefighters, and Marnie Uhl Chamber Director.

Public: Jeff Barbe, Betty Amator, Marge Silva, Gary Kiehne, Bill and Charlene Becker, Buster, Melissa and Margo Madriaga, Sue Hall, Edde Castillo, Jim Leverton, and Larisa Bogardus

**1. Call to Order**

Mayor Dyson called the meeting to order at 6:08 p.m.

**2. Pledge of Allegiance and Invocation**

The Pledge of Allegiance was led by Vice-Mayor Nedrow  
Invocation by Mayor Dyson.

**3. Public Participation**

Jeff Barbe asked if the town manager would give an update on the school deed restrictions during his manager's report.

Bill Becker asked if anything was being done with maintenance on the cemetery with regard to cleaning up or getting the water system fixed.

Mayor Dyson answered that the issue of putting water up there was brought up during the last parks committee last week.

**4. Manager, and Council Reports**

Council Reports

Councilman Cray reported there will be a Blue Hills meeting tomorrow

Mayor Dyson reported she attended the parks meeting however there was no quorum. Mr. Hassler had a proposed plan for the Pioneer Parks to present. The next meeting is scheduled for March 23<sup>rd</sup>.

She attended the NACOG meeting in Flagstaff on behalf of the town. There was no news of money for the town, however the City of Holbrook was awarded a 2.6 million-dollar grant for a new sewer system.

She also attended the Upper Little Colorado River Watershed Partnership meeting. They will be doing more improvements to the main ditch, "The Big Ditch Project". She has information for anyone wishing to have it.

The Health Care District met here with Northern Arizona Health Care, "Flagstaff Medical Center". Their CEO and strategic planner met with the Health Care District then met with the hospital board. The Board voted to allow them to come in and do a strategic health care analysis of the community. This is a GAPS analysis to see where it is falling apart and what can be done.

She also attended three receptions for new doctors and their wives and another reception will be held a week from this Saturday. There are four doctors looking at coming to our community.

She has not had any response from the Bechtel, TEP and Tri-State meeting but will meet with them again in a month.

She invited the public to come back on March 10<sup>th</sup> for a work session on the school rehabilitation at 7:00pm. They will be putting together a game plan. On March 16<sup>th</sup> the Town of Springerville will be hosting the Chamber Mixer at Java Blues.

Marnie Uhl reported for the Chamber of Commerce. She announced that the Chamber Mixer at Java Blues would start at 5:30pm. She thanked Booga Reds for hosting last month's mixer. Ms. Uhl reported that Gary Kiehne a new member of the Chamber of Commerce hosted the Office of Tourism Team Workshop. Approximately 30 people attended from around the state.

The Chamber is currently working on the circus coming on April 20<sup>th</sup>. Ms. Uhl also turned in a written report.

#### Town Managers Report:

Mr. Hassler said that work would begin work out at the Moses subdivision if the weather holds out. The town received the ADEQ permit today and the boring machine has been tested out. Encasement pipe will be picked up in Albuquerque this week. Once they start the project they have to continue until they are done. They will be boring underneath the highway and will have to get the encasement pipe in before they can go home. The following week they will schedule the actual laying of the water line. They will be tying into the existing system. They will have to shut off water for approximately half dozen people for a period of time and others may experience low water pressure. This will take place during the day. The people that will be affected will be notified in writing forty-eight hours prior to doing this. The water should only be off for a couple of hours. They have planned for as many contingency precautions as possible however they can't plan everything.

Meetings in the near future include the Parks committee on March 23<sup>rd</sup>, and the airport committee will meet on the 16<sup>th</sup>. The next regular council meeting will be March 17<sup>th</sup> and a special work session is scheduled at 7:00pm on the 10<sup>th</sup> regarding the proposed rehabilitation. Packets have been given to the Council member's for that meeting, which includes deed restriction information. An attorney has looked at this and given his legal opinion.

Another work session may be scheduled for late April or early May to discuss street repairs. Tom has been working hard to put together information regarding cost comparisons on double and triple chip seals, asphalt, and concrete, and contractors versus town staff. They are looking at a wide variation of repairs to be done. This will be a long process to walk through on what is being looked at and what they will be proposing during the budget session. This will also allow more time for the legislature to make a decision on the bills they are proposing. Some of these bills may cut the town funding by about one-half.

Mayor Dyson announced to the public that the Primary Election is Tuesday March 9<sup>th</sup> from 6:00am until 7:00pm. This election will be held at the fire department, old town hall located behind the Rode Inn. She reminded the public that there is early voting for those who will not be here next Tuesday. Early voting will continue until Friday at town hall from 7:30am until 4:00 daily.

Mr. Hassler noted the primary reasons the voting was moved to the firehouse. Number one - there is better parking, and two, we do not have to send staff home on paid vacation for that day and three - the fire house is available on that day.

5. **Minutes:** Consider approval of the minutes from the town council meeting held on February 4, 2004.

Mayor Dyson noted that she had asked the clerk to make a correction to the minutes regarding Council members that were present and to remove Lynn Rogers. That correction was made prior to the meeting.

Motion by Councilman Cray/Mary Nedrow to approve the minutes with the corrections noted.

Vote:	Ayes:	Kay Dyson
		Mary Nedrow
		Mark Baca
		Scott Cray

6. **Minutes:** Consider approval of the minutes from the town council audit work session held on January 25, 2004.

Mayor Dyson said this was a priority setting work session to give direction to staff as how to best prioritize the 2004 budget. She said that she asked for one correction on the minute's that were also corrected prior to tonight.

Motion by Scott Cray/Mary Nedrow to approve the minutes of the January 25, 2004 work session with the noted corrections.

Vote:	Ayes:	Kay Dyson
		Mary Nedrow
		Mark Baca
		Scott Cray

7. **Cemetery Policy:** Consider authorizing the Mayor to sign a policy regarding a new cemetery for the Town of Springerville.

Mayor Dyson explained that the reason they are looking at this is to so they can go out and look for land and be able to show people the new policy if and when they find some.

Mr. Hassler reiterated that this policy would be for a new cemetery. He made the corrections requested by the Council at the last meeting.

Number one – there shall be no headstones projected above the level of the surrounding ground to keep everything flush with the ground. This will help with maintenance time.

Number two - Memorials, flowers, mementos etc. will be allowed. Town crews will remove any flowers, mementos etc. multiple times during the year. They will remove items on the following dates or the first working day after the list of date to help keep the cemetery clean.

Dates include January 15, April 15, and October 15. Quarterly except during the summer. Crews may also remove items prior to mowing, which will be posted during the mowing season with some type of posted sign or message board.

Number three – the cemetery will have a sprinkler system in place and grass planted. The town crews will maintain the cemetery on a basis to be determined by the public works director.

They will use this policy as they go about the process of looking for land or a new location whether it be on existing town property or property that we don't own. Surrounding property owner will be notified that this is what the town intends on doing and what it should look like when it is up and running.

Sam Madariaga complained that town crews broke the outside concrete ring around his family plot by the using a backhoe to dig up another plot. He said he had come before a prior council and asked that they fix it and it has not been fixed. He stated that they should take care of the old cemetery first.

Mr. Hassler addressed this issue. He explained that the old cemetery was not well laid out and will plan for allowing wide driving lanes to allow a backhoe in the new cemetery as well as twenty-foot driving spaces.

He also explained that in the original part of the cemetery very few graves are now opened with a backhoe but are hand-dug because they cannot get to them. In acquiring a new cemetery they fix these things because they will not be back in there with a backhoe. He apologized for these things not being fixed before. He reiterated that in identifying a new place for a new cemetery and close off the old cemetery it will be easier to maintain.

Mr. Hassler was directed to have the public works director contact Mr. Madariaga regarding this issue. He also assured the public that all reserved plots in the old cemetery would be honored or given the option of moving to the new cemetery.

Motion by Mark Baca/Mary Nedrow to authorize the Mayor to sign the new Cemetery Policy as proposed by the Town Manager.

Vote:	Ayes:	Kay Dyson
		Mary Nedrow
		Mark Baca

Scott Cray

8. **Water and Sewer Rates:** Hear concerns from local business owners about the new water and sewer rates structure and take appropriate action.

Buster and Melissa Madariaga owners of Booga Reds restaurant addressed the Council with concerns on water and sewer rates adopted on January 21<sup>st</sup>. He said he had compared rates with other municipalities in the surrounding area and found that our sewer rate was the biggest hit. He did not feel that it was fair that the businesses of Springerville shoulder the brunt of all of the sewer usage. He felt that the city could not determine how much sewer usage there was without a meter placed for each business. He did not feel that they should be charged for the sewer usage by the amount of water coming into their establishment.

Mr. Madariaga proposed that the Council look at other options with regard to the sewer charges such as prorating or even looking at a sliding scale with a yearly increase. He felt that the Council was cutting the businesses off at the knees when that brings people to the town.

Mrs. Madariaga also addressed the Council asking them to prorate the amount that would span through out the years instead of all at one time. They employ thirty people and this will take a lot from them. She said that this was going to be a detriment to existing businesses as well as a deterrent to new businesses looking to relocate here.

Mr. Leverton also agreed and said they need to increase a little at a time then commented on the grease traps as well. He said he was not notified of the cost for grease trap inspections.

Several other comments were taken from business owners with regard to the sewer rates and making cutbacks.

Mr. Sam Madariaga asked why they couldn't tighten their belts with the employees and everyone else especially with medical insurance. He said the employee should be covered but the family coverage should be paid out of their salary.

Mayor Dyson and the Council members assured Mr. Madariaga that employees were paying for a portion of their insurance coverage.

Betty Amator addressed the Council regarding the sewer system. She stated that in 1989 the sewer system was put in knowing that it would be a deficit and stated that it should continue running as such. She also commented on the rates of water and sewer and stated that there will not be any tax coming in to the town when all of the businesses are run out. She gave a copy of the newspaper article regarding the sewer system running at a deficit to the Council.

Mr. Hassler advised the public that the Council could not make any changes tonight. They will have to go back through the process of public hearings and publication of the rates.

Mayor Dyson explained that they are based this on how much is used. The Council felt that this would be the fairest and most discriminatory way to pass this on to all the citizens. She reiterated that the town is losing \$400,000 a year on the water and sewer. They get many complaints on water quality, quantity, pressure, and road structure and wanted to come up with a solution to address these repairs and fix the system. They cannot fix the system without money and they are currently waiting to find out if the state is going to make more cutbacks. Springerville has not had a water rate increase in over ten years and the sewer rate increase in eleven years.

Mr. Hassler stated that there are two ways the Council can address this issue. One is the way we are doing this and the other is the way Mr. Madariaga is suggesting. Either way is valid. The issue is, if the Council goes that route they will have to raise the fee per thousand gallons of sewer. The bottom line is that we need X number of dollars to run our business. We are looking at lagoon system, but it is a long process of going back through the state process and regulations. It will save a large amount of money but will still not be profitable. They can either have a lower rate on the total gallons run through the meter or take the lowest three to four months and raise that rate for thousand gallons.

Mayor Dyson asked for volunteers from the businesses to meet with Mr. Hassler to begin discussing a way to find a resolution. Mr. Hassler suggested that they meet on the March 16<sup>th</sup> at 10:30 in his office. Several Council members said they would like to sit in on this meeting.

9. **Request for Funds:** Consider authorizing the Town Manager to make a payment to the Round Valley Softball organization.

Frank Padilla representative for the RV Softball organization said they were asking for a little help to get the association started. They would like to get tournaments started that will bring people to the community but need financial assistance to get going.

Motion by Scott Cray/Mary Nedrow to authorize the Town Manager to make a payment of \$500.00 to the Round Valley Softball organization out of the contribution line item of the Council budget.

Vote:	Ayes:	Kay Dyson
		Mary Nedrow
		Mark Baca
		Scott Cray

Mr. Hassler suggested that letters be written to organizations that have previously requested funds to come in and request those funds in advance and how much they will need so that the Council will have that information for the budget process.

10. **Request for Funds:** Consider authorizing the Town Manager to make a payment to the Town of Eagar for the annual Easter Egg Hunt.

Mr. Hassler's recommendation to the Council was that in lieu of candy and toys and stuffed animals that the Council considers giving them money to purchase what they need.

Motion by Mary Nedrow/Mark Baca to authorize the Manager to make a payment of \$100.00 to the Town of Eagar out of the contribution line item.

Vote:	Ayes:	Kay Dyson
		Mary Nedrow
		Mark Baca
		Scott Cray

11. **Request for Funds:** Consider authorizing the Manager to make a payment to the Renaissance Academy Student Council.

There was no one in attendance from the Renaissance Academy.

Motion by Councilman Cray to make a payment in the amount of \$500 to the Renaissance Academy Student Council out of the contribution's portion of the budget.

The motion died for lack of a second.

12. **Request for Funds:** Consider authorizing the Town Manager to make a payment to the Old Spanish Trail Sculpture and Art, Inc.

Vice-Mayor Nedrow asked legal counsel if there was a conflict for both herself and Council member Baca as they are both on the School Board and if this would be a problem for either of them to vote on it.

Mr. Solomon stated that it would be a problem and not to take any action on this item.

13. **Firefighter Presentation:** Hear a presentation from the Springerville Fire Department regarding recent activities in the department.

Fire Chief Max Sadler reported that they are a viable department to the community and are working each Thursday night. He expressed his gratitude for their support in the past. Mr. Sadler explained that they have twenty-three members but are looking to expand the membership. By town code they are only allowed to have twenty members.

The meet each Thursday night for training with the first Thursday of each month reserved for a business meeting. They also do a lot of physical training and weight lifting. They also do a lot of public education in the schools and work in conjunction with Eagar to save money.

He said that two of his volunteers have put together a ten-minute slide presentation which they would show tonight.

Max reported that they had received an okay to spec a new fire engine but have not yet received the funds. It will be a rescue truck and cost approximately about \$150,000. They hope to get it ordered and here by September. He also found additional areas to get funding for possible equipment and or another fire truck if he can get the information by April.

After the slide presentation Max announced that the fire department is having a Mother's Day raffle and do a lot of other fund raising projects that help them support local programs. They also purchase their weight equipment from these funds.

Max also reported on the activities of the fire department for the last year.

**14. Sign Policy:** Consider authorizing the Mayor to sign a policy regarding signs in the public rights of way.

Mr. Hassler explained he had a company call him regarding putting a trail blazer or blue sign on our right of ways. These signs allow businesses to put logos with arrows and mileage on them. The company wanted to place one of these signs on South Mountain Avenue and the town currently does not have a policy in place to allow this to happen. This needs to be determined by the Council and once established then we can move forward with it. In reviewing the zoning code he believes it would fall under C (1) general directional information for the traveling public. The only road we would have control over would be South Mountain Avenue and only allow Springerville business logos on it.

Motion by Mary Nedrow/Mark Baca to authorize the Mayor to sign the Signs Pubic Rights of Way policy as presented by the Town Manager.

Vote:	Ayes:	Kay Dyson
		Mary Nedrow
		Mark Baca
		Scott Cray

**15. Resolution 2004-R002:** Consider authorizing the Mayor to sign Resolution 2004-R003 authorizing Workman's compensation insurance for volunteers in the fire department.

Mr. Hassler stated this would cover just the fire fighters at a cost of \$2.48 per person per month. He explained that we pay based on whoever is on the payroll. It will be tracked through personnel files.

Motion by Mark Baca/Mary Nedrow to sign Resolution 2004-R002 authorizing the Mayor to sign Resolution 2004-R002 establishing worker's compensation rates for fire department volunteers.

Mr. Hassler noted that there needs to be a couple of word changes in the resolution. In the opening sentence, firefighter's needs to be added behind volunteer and in the body beginning with whereas it should also state volunteer firefighters and strike the words volunteer workers.

Motion by Mark Baca/Mary Nedrow authorizing the Mayor to sign Resolution 2004-R002 with the amendments so noted.

Vote:	Ayes:	Kay Dyson
		Mary Nedrow
		Mark Baca
		Scott Cray

- 16. Resolution 2004-R003:** Consider authorizing the Mayor to sign Resolution 2004-R003 declaring the document entitled "The Town of Springerville Municipal code" a public record.

Mr. Hassler explained that this resolution makes the town code a public document. We adopt this as a public document then pass the ordinance adopting the public document. This prevents us from having to publish this entire document in the newspaper.

This code book was created from the Cranberry Code book. When Book Publishers created the cranberry book we received a CD. Recent ordinances passed were incorporated into this document such as the tower ordinance, sexually oriented businesses and compression brakes.

Mr. Solomon explained that there were a lot of items in the old code that have been repealed. This was something that the town's previous legal counsel started many years ago and is finally coming to fruition. He said he spoke with the League to make sure the process is correct for having all ordinances in place and not having a gap in time where there is not an ordinance in place. Everything has been done properly as far as he can see and has spent a lot of time reviewing it. He advised the Council to adopt this as a public document and adopt the resolution.

Motion by Scott Cray/Mary Nedrow to authorize the Mayor to sign Resolution 2004-R003 declaring the "Town of Springerville Municipal Code" a public document.

Vote:	Ayes:	Kay Dyson
		Mary Nedrow
		Mark Baca
		Scott Cray

- 17. Ordinance 2004-002:** First Reading and discussion of Ordinance 2004-002 adopting by reference the public document the Town Code for Springerville.

It was noted that this is a first reading by the Mayor of this ordinance and no action will be taken.

"An ordinance of the Town of Springerville Arizona relating to the adoption of a public document entitled "Town of Springerville Municipal Code" repealing the existing Municipal Code of the Town of Springerville and designating an effective date".

Mayor Dyson continued reading Section 1, Effective Date of Repeal, "that the effective date will be March 17<sup>th</sup> at 12:01am 2004. All ordinances of the Town except those specifically exempted in this article now in force and effect are hereby repealed effective at 12:01am on the 18<sup>th</sup> day of March 2004, but all rights duties and obligations created by said ordinances shall continue and exist in all respects as if this code had not been adopted and enacted".

Mr. Hassler explained that this would give us a code book to work from. This book is the same book we are currently working under just reorganized in a better fashion. Book Publishers Company codified this book and gave it to us in a CD. We now have it in electronic format. The changes were costing the town about \$30.00 per page to have codified. We have made sure that all the ordinances that the town has passed over the years have been incorporated into this book. The next step will be to bring the changes before the Council ordinance by ordinance. The ordinances listed as exempt and are not being repealed refer to zoning code changes, zoning code adopting, zoning map changes, franchise agreements, tax code amendments and annexations.

Concern was expressed with regard to pages missing or tampering with the document.

Mr. Hassler explained that the master copy would be always be locked up for safe keeping but this document would be published on the web as well as available in town hall. He also noted that this document is on the network and write protected as well. The only person that has access to this drive is himself.

- 18. Adjournment:**

Motion by Mary Nedrow/Mark Baca to adjourn the meeting.

Vote:	Ayes:	Kay Dyson Mary Nedrow Mark Baca Scott Cray
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The meeting adjourned at 8:35 p.m.

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Kay Dyson, Mayor

ATTEST:

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Town Clerk

I hereby certify that the foregoing is a true and correct copy of the minutes of the Springerville Town Council in regular session on Wednesday March 3, 2004. I further certify that the meeting was duly called and a quorum was present.

Dated this 5<sup>th</sup> Day of March 2004

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Town Clerk